

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHURCH & DWIGHT CO., INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-2142 (GEB)
)	
ABBOTT LABORATORIES,)	ORDER
)	
Defendant.)	
)	

BROWN, Chief Judge

This matter comes before the Court upon Defendant Abbott Laboratories' ("Abbott") Motion for Leave to File an Amended Counterclaim and Join Inverness Medical Switzerland GMBH ("Inverness"), and Church & Dwight Co., Inc.'s ("Church & Dwight") Cross-Motion to Dismiss Abbott's Counterclaim of Infringement; and the Court having decided the motions based on the parties' submissions and without oral argument pursuant to Federal Rule of Civil Procedure 78; and for the reasons set forth in the accompanying Memorandum Opinion;

IT IS THIS 18th day of October, 2006;

ORDERED that Abbott's motion is DENIED without prejudice; and

ORDERED that Church & Dwight's cross-motion is GRANTED.

s/ Garrett E. Brown, Jr.
GARRETT E. BROWN, JR., U.S.D.J.